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GUAM ENVIRONMENTAL PROTECTION AGENCY

POST OFFICE BOX 2999 AGANA, GUAM 96910 TELEPHONE: 646-8863/64/65

AUG 18 1986

INTER-AGENCY MEMORANDUM

TO: Director of Public Works
FROM: Administrator
SUBJECT: Solid Waste Notice of Violation



SDMS Doc ID 2003553

You are hereby advised that this Notice of Violation is being issued to your department for allowing uncontrolled scavenging at the Ordot Landfill, which is a violation of Section IV. A. 2. b. and Section VI. N. of the Solid Waste Disposal Rules and Regulations, pursuant to 10 Guam Code Annotated (GCA), Chapter 51, and Sections III. A 5. a, e, f, g, h and III. A. 9 of the 1986 Ordot Landfill Schedule of Compliance.

Section 51103 of 10 GCA 51 places the responsibility on the Guam Environmental Protection Agency to "prepare, issue, modify, revoke, and enforce orders for compliance with any of the provisions of this Chapter or of any rules and regulations issued pursuant thereto and requiring the taking of such remedial measures for solid waste management as may be necessary or appropriate to implement or effectuate the provisions and purposes of this Chapter."

Section 51109 states that it shall be unlawful for any person to:

- (1) Violate any provision of this Chapter or any rule, regulation, standard, or order issued pursuant to this Chapter.
- (5) Collect, transport, process, or dispose solid waste in such a manner as to degrade the environment, create a public nuisance, create a health or safety hazard, or contrary to this Chapter.

The Ordot Landfill Schedule of Compliance was developed to bring the Ordot Landfill into compliance with Guam's Solid Waste Disposal Rules and Regulations. The Solid Waste Management Permit for Ordot was approved on the condition that the Schedule of Compliance be observed. This Schedule was mutually agreed upon by DPW and GEPA to "be strictly enforced and ... be the most important guideline used by GEPA staff in the evaluation of the environmental conditions and operation of the Ordot Landfill (Section II)".

Section III. A. 5. of the Schedule states:

- (a) All fires, open flames, and smoking of tobacco products shall be prohibited on landfill premises except within the landfill office facility.

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- (e) By no later than March 30, 1986, all individuals entering the landfill for scavenging purposes, must fill out and sign a waiver of liability available at the landfill office.
- (f) By no later than March 30, 1986, scavenging of materials at the landfill will be in a controlled manner and only at locations designated by the landfill supervisor.
- (g) No children below the age of thirteen (13) will be allowed outside the vehicle entering the landfill area. This requirement does not preclude teen-age children from assisting in unloading waste from privately owned vehicles.
- (h) Vehicles shall not be left unattended near the working face of the refuse cell or along traffic routes within landfill premises.

Section III. A. 9. states:

By no later than March 30, 1986, work shall commence to repair damaged sections of the present landfill fence and gate.

Section IV. A. 2. b. makes it clear that:

"Certain wastes, such as automobile bodies, furniture, metals and appliances may be salvaged in a controlled manner only by individuals approved by the permit holder and the Administrator at an approved point other than the working face."

Section VI. N. of the Solid Waste Disposal Rules and Regulations states that:

- f. Access to the site shall be controlled and shall be by established roadways only. The site shall be accessible only when operating personnel are on duty ...
- g. ... Vehicles shall not be left unattended at the working face or along traffic routes ...

Inspections performed on June 30, 1986 and July 18, 1986, reflect the following discrepancies:

1. There is no gate, and fence repair work has not begun;
2. Scavengers are allowed to work within the facility without signing waivers of liability;
3. Children below the age of thirteen are allowed to work and play at the landfill working face;

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4. Scavengers' vehicles are left unattended along traffic routes and at the working face; and
5. Scavengers are allowed to smoke in areas not designated for smoking.

Copies of the inspection reports conducted during June and July are attached to this Notice.

You are therefore required to immediately install a gate at the landfill entrance and repair the existing fence in order to control access to the landfill site. You are also required to ensure that scavengers do not smoke on the landfill premises, scavengers drive their vehicles within the facility for unloading purposes only, scavengers' children under the age of thirteen not be allowed on the premises, and ensure that every scavenger has signed the waiver of liability.

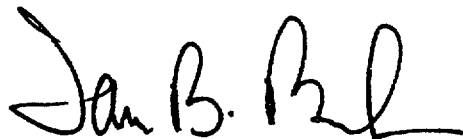
You are also hereby required to notify this agency of the policy and operation amendment, which will ensure that the salvaging of materials from the landfill is conducted in a controlled manner.

Failure to comply within fifteen (15) days after receipt of this Notice may subject you to penalties in accordance with Section 51113 of 10 GCA 51 which states:

"Any person who violates any provisions of this Chapter, or any valid rule or regulation promulgated under this Chapter, or who refuses or neglects to comply with any lawful order issued by the Administrator in the carrying out of this Chapter shall, upon conviction, be guilty of a petty misdemeanor."

"Each day of continued violation of this Section or the provisions of this Chapter ..., may be deemed a separate offense."

Your prompt attention and cooperation in eliminating this problem will be appreciated.


JAMES B. BRANCH

Attachment

CC: ✓ Doris Lee-Betuel,
USEPA, Region IX
(w/encl.)

LANDFILL EVALUATION REPORT

LOCATION: ORDOT LANDFILL INSPECTOR: BJohansen

DATE: June 30, 1986 TIME IN: 1:00 p.m. TIME OUT: 1:20 p.m.

YES	NO		YES	NO	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. Evidence of burning.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25. Equipment operation and service manuals on site.
<input type="checkbox"/>	<u>N/A</u>	2. Open Burning Permit (a) In accordance with permit guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26. Landfill operation manual available to employees.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	③ Access controlled.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	27. Safety devices (hard hats, dust masks, ear protection, work gloves, appropriate footwear) used.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Scavengers present.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	②⑧ Equipment safety devices (roll-over cage, seatbelts, reverse warning device) present and used.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	⑤ Signed waiver at Office.	<input type="checkbox"/>	<input type="checkbox"/>	29. Two fire extinguishers, inspected monthly.
<input type="checkbox"/>	<input type="checkbox"/>	⑥ Children below age of 13 outside vehicle.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	30. First Aid equipment on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. Traffic signs, markers and traffic controller present.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	31. Communication equipment on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Unloading controlled and in small area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	32. Personnel facilities present with toilet.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Unattended vehicles at working face or along traffic route.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	33. Hours of operation, rules of landfill, and list of excluded materials posted on sign at gate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. Waste compacted into cell, 3:1 slope.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	34. Information handout available.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Daily cover used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	35. Sign on highway station direction, distance, hours of operation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Dust control needed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	36. Measurements taken - scales or visual estimates.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Dust control used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37. Daily records present, up to date.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	⑭ Vector control needed.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15. Bird hazard to aircraft.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16. Vector control used.	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Litter control needed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18. Litter control used.	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. Ponding and/or erosion.	COMMENTS: #3, 5, and 6. Access is not controlled which allows scavengers to enter the landfill without signing waivers, bringing their young children, smoking at the working face and breaking other landfill rules without penalty or correction. #28. Some vehicles do not have required devices. (Use reverse side for further comments)		
<input type="checkbox"/>	<input type="checkbox"/>	20. Leachate visible.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	21. Bulky waste disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22. Sludge disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23. Animal carcass disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24. Daily equipment maintenance inspections.			

LANDFILL EVALUATION REPORT

LOCATION: ORDOT LANDFILL INSPECTOR: Bonnie Johansen & Bob Wood

DATE: July 29, 1986 TIME IN: 2:30 p.m. TIME OUT: 2:48 p.m.

YES	NO		YES	NO	
<u> </u>	<u> </u> ✓	1. Evidence of burning.	<u> </u> ✓	<u> </u>	25. Equipment operation and service manuals on site.
<u> </u>	<u> </u> N/A	2. Open Burning Permit (a) In accordance with permit guidelines.	<u> </u> ✓	<u> </u>	26. Landfill operation manual available to employees.
<u> </u>	<u> </u> ✓	③ 3. Access controlled.	<u> </u> ✓	<u> </u>	27. Safety devices (hard hats, dust masks, ear protection, work gloves, appropriate footwear) used.
<u> </u> ✓	<u> </u>	4. Scavengers present.	<u> </u>	<u> </u> ✓	② 28. Equipment safety devices (roll-over cage, seatbelts, reverse warning device) present and used.
<u> </u> ✓	<u> </u>	5. Signed waiver at Office.	<u> </u>	<u> </u>	29. Two fire extinguishers, inspected monthly.
<u> </u>	<u> </u> ✓	6. Children below age of 13 outside vehicle.	<u> </u>	<u> </u>	30. First Aid equipment on site.
<u> </u> ✓	<u> </u>	7. Traffic signs, markers and traffic controller present.	<u> </u> ✓	<u> </u>	31. Communication equipment on site.
<u> </u> ✓	<u> </u>	8. Unloading controlled and in small area.	<u> </u> ✓	<u> </u>	32. Personnel facilities present with toilet.
<u> </u> ✓	<u> </u>	⑨ 9. Unattended vehicles at working face or along traffic route.	<u> </u> ✓	<u> </u>	33. Hours of operation, rules of landfill, and list of excluded materials posted on sign at gate.
<u> </u>	<u> </u>	10. Waste compacted into cell, 3:1 slope.	<u> </u> ✓	<u> </u>	34. Information handout available.
<u> </u> ✓	<u> </u>	11. Daily cover used.	<u> </u> ✓	<u> </u>	35. Sign on highway station direction, distance, hours of operation.
<u> </u>	<u> </u> ✓	12. Dust control needed.	<u> </u> ✓	<u> </u>	36. Measurements taken - scales or visual estimates.
<u> </u>	<u> </u>	13. Dust control used.	<u> </u> ✓	<u> </u>	37. Daily records present, up to date.
<u> </u> ✓	<u> </u>	⑭ 14. Vector control needed.	<u> </u>		
<u> </u>	<u> </u> ✓	15. Bird hazard to aircraft.	<u> </u> ✓		
<u> </u>	<u> </u> ✓	16. Vector control used.	<u> </u> ✓		
<u> </u>	<u> </u> ✓	17. Litter control needed.	<u> </u>		
<u> </u>	<u> </u> ✓	18. Litter control used.	<u> </u>		
<u> </u> ✓	<u> </u>	19. Ponding and/or erosion.	COMMENTS: #10 and 23 and 20 landfill too muddy for full inspection. #28 No reverse warning device. #9 Unattended scavenger's truck parked along route.		
<u> </u>	<u> </u>	20. Leachate visible.			
<u> </u> ✓	<u> </u>	21. Bulky waste disposed.			
<u> </u> ✓	<u> </u>	22. Sludge disposed.			
<u> </u>	<u> </u>	23. Animal carcass disposed.	(Use reverse side for further comments)		
<u> </u> ✓	<u> </u>	24. Daily equipment maintenance inspections.			

LANDFILL EVALUATION REPORT

LOCATION: ORDOT LANDFILL INSPECTOR: Bonnie Johansen

DATE: July 18, 1986 TIME IN: 2:40 p.m. TIME OUT: 3:06 p.m.

YES	NO		YES	NO	
<u> </u>	<u> ✓ </u>	1. Evidence of burning.	<u> ✓ </u>	<u> </u>	25. Equipment operation and service manuals on site.
<u> </u>	<u>N/A</u>	2. Open Burning Permit (a) In accordance with permit guidelines.	<u> ✓ </u>	<u> </u>	26. Landfill operation manual available to employees.
<u> </u>	<u> ✓ </u>	③ Access controlled.	<u> </u>	<u> ✓ </u>	②⑦ Safety devices (hard hats, dust masks, ear protection, work gloves, appropriate footwear) used.
<u> ✓ </u>	<u> </u>	4. Scavengers present.	<u> </u>	<u> </u>	②⑧ Equipment safety devices (roll-over cage, seatbelts, reverse warning device) present and used.
<u> </u>	<u> ✓ </u>	⑤ Signed waiver at Office.	<u> </u>	<u> ✓ </u>	29. Two fire extinguishers, inspected monthly.
<u> ✓ </u>	<u> </u>	⑥ Children below age of 13 outside vehicle.	<u> </u>	<u> </u>	30. First Aid equipment on site.
<u> ✓ </u>	<u> </u>	7. Traffic signs, markers and traffic controller present.	<u> ✓ </u>	<u> </u>	31. Communication equipment on site.
<u> ✓ </u>	<u> </u>	8. Unloading controlled and in small area.	<u> ✓ </u>	<u> </u>	32. Personnel facilities present with toilet.
<u> ✓ </u>	<u> </u>	⑨ Unattended vehicles at working face or along traffic route.	<u> ✓ </u>	<u> </u>	33. Hours of operation, rules of landfill, and list of excluded materials posted on sign at gate.
<u> ✓ </u>	<u> </u>	10. Waste compacted into cell, 3:1 slope.	<u> ✓ </u>	<u> </u>	34. Information handout available.
<u> ✓ </u>	<u> </u>	11. Daily cover used.	<u> ✓ </u>	<u> </u>	35. Sign on highway station direction, distance, hours of operation.
<u> </u>	<u> ✓ </u>	12. Dust control needed.	<u> ✓ </u>	<u> </u>	36. Measurements taken - scales or visual estimates.
<u> </u>	<u> ✓ </u>	13. Dust control used.	<u> ✓ </u>	<u> </u>	37. Daily records present, up to date.
<u> ✓ </u>	<u> </u>	⑭ Vector control needed.	<u> </u>	<u> </u>	
<u> </u>	<u> ✓ </u>	15. Bird hazard to aircraft.	<u> ✓ </u>	<u> </u>	
<u> </u>	<u> ✓ </u>	16. Vector control used.	<u> ✓ </u>	<u> </u>	
<u> </u>	<u> </u>	17. Litter control needed.	<u> ✓ </u>	<u> </u>	
<u> </u>	<u> ✓ </u>	18. Litter control used.	<u> </u>	<u> </u>	
<u> ✓ </u>	<u> </u>	19. Ponding and/or erosion.	COMMENTS: <u>#28 No reverse warning device on bulldozer.</u>		
<u> </u>	<u> </u>	20. Leachate visible.	<u>#3, 5, 6 Access to landfill is not being controlled either by gate and fencing or by landfill employees. Scavengers present who had not signed waivers. They left their vehicles unattended at face and along route. Several scavengers were smoking at the working. Several (Use reverse side for further comments) young children were play/working at the face.</u>		
<u> ✓ </u>	<u> </u>	21. Bulky waste disposed.			
<u> ✓ </u>	<u> </u>	22. Sludge disposed.			
<u> ✓ </u>	<u> </u>	23. Animal carcass disposed.			
<u> ✓ </u>	<u> </u>	24. Daily equipment maintenance inspections.			

LANDFILL EVALUATION REPORT

LOCATION: ORDOT LANDFILL INSPECTOR: BJohansen

DATE: June 27, 1986 TIME IN: 2:55 p.m. TIME OUT: 3:22 p.m.

YES	NO		YES	NO	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. Evidence of burning.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25. Equipment operation and service manuals on site.
<input type="checkbox"/>	N/A	2. Open Burning Permit (a) In accordance with permit guidelines.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	26. Landfill operation manual available to employees.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Access controlled.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	27. Safety devices (hard hats, dust masks, ear protection, work gloves, appropriate footwear) used.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Scavengers present.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	28. Equipment safety devices (roll-over cage, seatbelts, reverse warning device) present and used.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Signed waiver at Office.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	29. Two fire extinguishers, inspected monthly.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Children below age of 13 outside vehicle.	<input type="checkbox"/>	<input type="checkbox"/>	30. First Aid equipment on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. Traffic signs, markers and traffic controller present.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	31. Communication equipment on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Unloading controlled and in small area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	32. Personnel facilities present with toilet.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Unattended vehicles at working face or along traffic route.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	33. Hours of operation, rules of landfill, and list of excluded materials posted on sign at gate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. Waste compacted into cell, 3:1 slope.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	34. Information handout available.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Daily cover used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	35. Sign on highway station direction, distance, hours of operation.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	12. Dust control needed.	<input type="checkbox"/>	<input type="checkbox"/>	36. Measurements taken - scales or visual estimates.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Dust control used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37. Daily records present, up to date.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	14. Vector control needed.			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15. Bird hazard to aircraft.	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16. Vector control used.	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17. Litter control needed.	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18. Litter control used.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. Ponding and/or erosion.	COMMENTS: #28. Some vehicles do not have required devices.		
<input type="checkbox"/>	<input type="checkbox"/>	20. Leachate visible.			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21. Bulky waste disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22. Sludge disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	23. Animal carcass disposed.			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	24. Daily equipment maintenance inspections.	(Use reverse side for further comments)		